

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TENNESSEE  
EASTERN DIVISION**

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**SUPERIOR HOME MORTGAGE, LLC, f/k/a  
B& H FINANCE, LLC; and ROGER SWAIM,  
INDIVIDUALLY AND IN HIS CAPACITY AS  
PRESIDENT OF SUPERIOR HOME  
MORTGAGE, LLC,**

**Plaintiffs,**

**v.**

**No. 1:19-cv-01056-STA-jay**

**TERRI FESMIRE SADLER MARBURY,  
an individual, DAVID MARBURY,  
an individual,  
JENNIFER AZBILL HALL, an individual,  
BILLY HALL, an individual,  
B&H INVESTMENTS, INC.,  
a dissolved company;  
BENJAMIN L. VARGASON, SR.,  
an individual,  
SHONDA VARGASON, an individual,  
GREAT AMERICAN SPORTS, LLC,  
an administratively dissolved company,  
BANCORPSOUTH BANK, a corporation, and  
JOHN DOES A, B, & C, individuals, and  
JANE DOES A, B, & C, individuals,**

**Defendants.**

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**ORDER LIFTING STAY  
AND  
DIRECTING THE CLERK OF COURT TO SET  
A SCHEDULING/STATUS CONFERENCE**

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Plaintiffs filed this action against Jennifer Hall, Billy Hall, Terri Fesmire Sadler Marbury, David Marbury, B&H Investments, Benjamin L. Vargason, Shonda Vargason, Great American

Sports, LLC, and John Does A, B, and C, alleging multiple fraudulent schemes. Subsequently, Defendants Benjamin Vargason and Jennifer Hall were criminally indicted in *United States v. Jennifer Azbill Hall and Benjamin Vargason*, Cr. No. 1:19-cr-10143-STA, on various fraud counts related to the underlying events in the civil action. On April 15, 2020, the Court stayed this matter pending disposition of the criminal case. (ECF No. 93.) On October 7, 2020, the Court vacated all deadlines set in the previous scheduling order pending disposition of the criminal case. (ECF No. 101.)

Defendant Benjamin Vargason and Defendant Jennifer Hall have now pled guilty in the criminal matter. (Cr. No. 1:19-cr-10143-STA, ECF Nos. 71 (Vargason) and 104 (Hall).) Accordingly, the stay of this matter is hereby **LIFTED**, and the Clerk is **DIRECTED** to set a new scheduling/status conference.

On January 27, 2022, Defendant David Marbury filed a suggestion of death upon the record of Defendant Terri Fesmire Sadler Marbury. (ECF No. 107.) Plaintiffs will have fourteen (14) days from the entry of this order in which to move to substitute the estate of Terri Fesmire Sadler Marbury as a defendant or to file a statement with the Court stating their intent not to pursue a claim against her estate.

**IT IS SO ORDERED.**

**s/ S. Thomas Anderson**  
S. THOMAS ANDERSON  
CHIEF UNITED STATES DISTRICT JUDGE

Date: July 6, 2022